THE HONOURABLE SRI JUSTICLE J. CHELAMESWAR
AND
THE HONOURABLE SRI JUSTICE D. APPA RAO

W.P. NO.27344 of 2006

Dated: 03-01-2007

Between:-

Shaik Khaseem Sab

…PETITIONER.

And

The Divisional Security Commissioner, South Central Railway, Railway Protection Force, Guntakal Division, Guntakal & others.

…RESPONDENTS

THE HONOURABLE SRI JUSTICLE J. CHELAMESWAR
AND
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W.P. NO. 27344 of 2006

O R D E R (per Hon'ble Sri Justice D. Appa Rao)

The petitioner, father of detenu Baba Fakroddin seeks production of the detenu by way of Habeas Corpus on the ground that the 2nd respondent the Assistant Security Commissioner (Railway Protection Force) took his son on 23.12.2006 and detained him illegally.

2) Sri A.Krishnama Raju, the learned counsel appearing for the respondents 1 and 2 represented that the Railway Protection Force registered a case against the alleged detenu in Crime No.5 of 2006 under Section 3 of Railway Property (unlawful possession) Act, 1966 and was arrested on 29.12.2006 and was produced before the learned Judicial Magistrate of First Class (Railways), Guntakal on 30.12.2006. Since then, he is in judicial custody.

3) Since these facts are not disputed and the detenu being in lawful custody, nothing survives in this writ petition.

4) In the result, the Writ Petition is dismissed. No costs.

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J. CH ELAMESWAR,J

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D. APPA RAO,J

3rd January,2007.

BCS